

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO. 06-102 ADM/SRN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ORDER

GREGORY JERMAINE EVANS,

Defendant.

Defendant, Gregory Jermaine Evans, has moved, pursuant to 18 U.S.C. § 3582(c), for a sentence reduction under the revised and retroactive amendments to the United States Sentencing Guidelines applicable to crack cocaine cases.

The Defendant has already received the benefits of the two level reduction in the § 2D1.1 guideline. As reflected in the Judgment in a Criminal Case - Statement of Reasons, “In anticipation of the new guidelines for crack cocaine cases, the court has determined that a variance from the guidelines is appropriate in this case because defendant’s total offense level would be a level 33 rather than a level 35.”

Therefore, the Motion for Resentencing is DENIED.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: June 17, 2008